UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,147	02/08/2001	Scott D. Ritche	P5663	4221

32658	7590	09/08/2004

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EXAMINER
PHILLIPS, HASSAN A

ART UNIT	PAPER NUMBER
2151	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/779,147	RITCHE, SCOTT D.
	Examiner	Art Unit	
	Hassan Phillips	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>13 July 2004</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-27</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-27</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is in response to amendments received on July 13, 2004.

Claim Objections

1. After consideration of the amendments made to claim 26, the examiner has withdrawn the objection to claim 26.

Response to Arguments

1. Applicant's arguments filed July 13, 2004 have been fully considered but they are not persuasive.

In regards to claims 10-12, 15-18, 20, and 24-27, applicant argued that:

a) Ghanime fails to teach validating received error alerts by comparing information in received alerts with identification information;

b) Ghanime fails to use a geographical location to determine a correct maintenance center.

c) Ghanime fails to determine a member within a service group to receive the error alert.

d) Ghanime fails to teach, prior to job ticket creating, performing diagnostics on the network device and verifying location information and including the information in the job ticket.

e) Ghanime fails to teach using threshold values for failure types to

determine when to issue job tickets.

f) Ghanime fails to teach accessing an outage list with the identification of

the machine being monitored by the sensor to determine whether or not to

send the email message.

In regards to claims 1-9, and 21-23, applicant further argues that:

g) Achtermann fails to teach processing an error alert to identify a failure type

from the failure information in the error alert.

h) Ghanime fails to teach using any threshold limits for failure types.

i) Ghanime fails to teach correcting a portion of the failure information in the

job ticket.

Examiner respectfully submits that Applicant has misinterpreted the prior art of

record.

Regarding item a), the applicant indicates in the claim that "validating" is done by

"comparing the failure information in the received error alert related to the one network

device with the identification information in the network device file". Ghanime teaches a

network device file comprising identification information for each network device in the

computer network (col. 4, lines 6-13). Ghanime also teaches creating a job ticket that

includes the identification information for the network device when an error alert is

received from the network device (col. 4, lines 14-16). Thus, it is inherent in the

teachings of Ghanime that validating, as disclosed by the applicant, takes place, since

the only way to create the job ticket would be to compare the failure information in the

received error alert from the network device, with identification information in the network device file. Furthermore, it is also suggested that the OSM validates the network device prior to generating the job ticket in col. 5, lines 53-62. Here, Ghanime teaches, upon receiving an error alert, the OSM **determining** whether an email message should be issued. Such a determination suggests that validation takes place in cases where job tickets were only created if the received error alert was a valid alert.

Regarding item b), the claimed invention fails to expressly state "using a geographical location to determine the **correct** maintenance center. Instead, claim 16 recites, "...*the portion of the failure information includes geographic location information for the one network device, and wherein the method further includes identifying a maintenance center associated with the one network device based on the geographic location information.*" The teachings of Ghanime clearly show this limitation where Ghanime teaches the job ticket identifying the **plant location** of the network device, and identifying a maintenance center associated with the network device by accessing a database containing information on the maintenance center associated with the network device (col. 5, lines 62-64).

Regarding item c), the examiner respectfully submits that Ghanime does teach determining a member within a service group to receive the error alert (col. 4, lines 35-50). While the teachings of Ghanime do show a human operator being electronically notified about an error alert, the teachings of Ghanime are inherently capable of determining a member (the human operator) of a service group since a database is

used to determine an addressee (i.e. the member or human operator) corresponding to each network device (col. 5, lines 62-64).

Regarding item d), the examiner respectfully submits that Ghanime does teach, prior to job ticket creating, performing diagnostics on the network device, verifying location information, and including the information in the job ticket (col. 2, lines 52-61). In the teachings of Ghanime the network device is constantly being monitored, or diagnosed for errors. Only upon detecting, or diagnosing the network device with a predetermined error will a job ticket be created. Ghanime shows that once this job ticket is created location information for the network device is included in the job ticket.

Regarding item e), the examiner respectfully submits that Ghanime does teach using threshold values for failure types to determine when to issue job tickets (col. 3, lines 52-58). In the teachings of Ghanime the stored information regarding acceptable operating limits for the power generation equipment **are** the threshold limits for previously identified network failure types. It is clear in the teachings of Ghanime that if these acceptable operating limits are exceeded, an error alert will be generated, and thus a job ticket will be created, col. 3, lines 41-67, col. 4, lines 1-5.

Regarding item f), it is inherently capable, in the teachings of Ghanime, for the OSM to access an outage list, with the identification of the machine being monitored by the sensor, to determine whether or not to send the email message (col. 5, lines 53-60). Here, Ghanime teaches, upon receiving an error alert, the OSM **determining** whether an email message should be issued. Such a determination suggests that an outage list,

with the identification of the machine being monitored by the sensor, can be accessed

to determine whether or not to send the email message.

Regarding item g), the examiner respectfully submits that Achtermann does

teach processing an error alert to identify a failure type from the failure information in

the error alert (col. 6, lines 24-38). In the teachings of Achtermann, a target processor

can be in one of many possible states (as shown in Fig. 4). When an error occurs,

messages (or error alerts) are sent through the network to a Distribution Manager (col.

6, lines 33-38). At this point, it is implicit in the teachings of Achtermann, that the error

alert is processed to identify a failure type from the failure information. Reason being,

identifying the failure type from the failure information is needed in order to update the

Distribution and Node State Tables. See Table 5.

Regarding item h), as previously mentioned, the examiner respectfully submits

that Ghanime does teach using threshold values for failure types (col. 3, lines 52-58). In

the teachings of Ghanime the stored information regarding acceptable operating limits

for the power generation equipment **are** the threshold limits for previously identified

network failure types. It is clear in the teachings of Ghanime that if these acceptable

operating limits are exceeded, an error alert will be generated, and thus a job ticket will

be created, col. 3, lines 41-67, col. 4, lines 1-5.

Regarding item i), Ghanime teaches a computer creating a job ticket in which

failure information is verified and inserted (col. 4, lines 6-26). Thus, it is implicitly

capable, in the teachings of Ghanime, for the computer creating the job ticket to correct

at least a portion of the failure information included in the job ticket.

Furthermore, the Examiner has interpreted the claim language as broadly as possible. It is also the Examiner's position that Applicant has not yet submitted claims drawn to limitations, which define the operation and apparatus of Applicant's disclosed invention in a manner that distinguishes over the prior art.

Failure for Applicant to significantly narrow definition/scope of the claims implies the Applicant intends broad interpretation be given to the claims. The Examiner has interpreted the claims with scope parallel to the Applicant in the response and reiterated the need for Applicant to define the claimed invention more clearly and distinctly. Accordingly the references supplied by the examiner in the previous office action covers the claimed limitations. The rejections are thus sustained. Applicant is requested to review the prior art of record for further consideration.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 10-12, 15-18, 20, 24-27, are rejected under 35 U.S.C. 102(e) as being anticipated by Ghanime, U.S. patent 6,591,296.

3. In considering claim 10, Ghanime discloses a method for automatically responding to error alerts created by network devices during operation of a computer network, comprising:

    a) Providing a network device file comprising identification information for each of the network devices in the computer network, (col. 4, lines 6-13);

    b) Receiving an error alert comprising failure information related to a network failure and to at least one of the network devices affected by the network failure, (col. 2, lines 29-33);

    c) Comparing the failure information in the received error alert to the identification information in the network device file, (col. 4, lines 14-16);

    d) Creating a job ticket for the network device including a portion of the failure information for use in servicing the device, (col. 2, lines 52-61).

4. In considering claim 11, Ghanime further discloses:

    a) The identification information including a domain for each of the network devices, (col. 5, lines 11-20).

    b) Comparing the domain in the received error alert to the domain in the identification information in the network device file, (col. 4, lines 14-16).

5. In considering claim 12, Ghanime further discloses:

a) The identification information including a node name for each of the network devices, (col. 4, lines 6-26).

b) Comparing the node identification in the received error alert to node name in the identification information in the network device file, (col. 4, lines 14-16).

6. In considering claim 15, the method taught by Ghanime further discloses parsing the error alert to filter out error tracking information and the portion of failure information included in the job ticket. See col. 3, lines 59-67, and col. 4, lines 1-2.

7. In considering claim 16, the method of Ghanime further discloses:

a) The portion of the failure information including geographic location information for the network device, (col. 2, lines 46-48);

b) Identifying a maintenance center associated with the network device based on the geographic location information, (col. 5, lines 62-64).

8. In considering claim 17, the method of Ghanime further discloses electronically transmitting the created job ticket to the identified maintenance center. See col. 4, lines 2-5.

9. In considering claim 18, the method of Ghanime further discloses, in identifying the maintenance center, determining a member of a service group

associated with the identified maintenance center and responsible for servicing the

network device and directly notifying the service group member. See col. 4, lines 35-50.

10. In considering claim 20, the method of Ghanime further discloses, prior to

creating a job ticket, performing diagnostics for the network device to obtain diagnostic

information, and verifying location information in the failure information to obtain verified

location information, and including the diagnostic information and the location

information in a created job ticket. See col. 2, lines 52-61.

11. In considering claim 24, Ghanime discloses:

   a) A memory device 114, including files for storing identification data for each
      of the network devices in the computer network, (col. 4, lines 6-8);

   b) A memory device 110, for storing threshold limits for previously identified
      network failure types and their tracking information, (col. 3, lines 52-58);

   c) An auto ticket tool 102, in communication with the network devices to
      receive the error alerts, and with the memory device to access the
      identification data and the threshold limits, and configured to process each
      of the error alerts, to determine the failure type, to update tracking
      information for the failure type, and to determine if the threshold limit for
      the failure type is exceeded based on tracking information, and if the
      threshold limit is determined to be exceeded, creating a job ticket for a
      network device identified by the identification data, (col. 5, lines 51-60).

12. In considering claim 25, Ghanime further discloses the auto ticket tool being configured to determine a recipient network device for the job ticket based on location information included in the error alert, and to transmit the job ticket to the recipient network device. See col. 5, lines 62-64.

13. In considering claim 26, Ghanime further provides a means for determining whether an identified network device is included on an outage list, and creating a job ticket only after it is determined that the identified device is not on the outage list, (col. 5, lines 53-60).

14. In considering claim 27, Ghanime further discloses the memory device 114, adapted for storing device location information comprising a geographic location for each of the network devices and wherein the auto ticket tool is operable to include the location information for use in creating the job ticket, (col. 4, lines 6-26).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-9, 21-23, are rejected under 35 U.S.C. 103(a) as being unpatentable

over Achtermann et al. (hereinafter Achtermann), U.S. patent 6,704,782 in view of

Ghanime.

3. In considering claim 1, Achtermann discloses a method for monitoring in a

computer network during package distribution comprising:

    a) Receiving an error alert, (col. 2, lines 47-54);

    b) Processing an error alert to identify a failure type from the failure

       information, (col. 6, lines 24-38);

    c) Updating an error tracking file comprising tracking values for each of the

       failure types to incrementally change a tracking number for the identified

       failure type, (col. 5, lines 40-62).

Although the disclosed system of Achtermann shows substantial features of the

claimed invention, it fails to explicitly disclose:

    a) Creating a job ticket to initiate service when a threshold limit has been

       exceeded for an identified failure.

Nevertheless, in a similar field of endeavor Ghanime discloses a method for

monitoring devices in a computer network comprising:

    a) Comparing an identified failure to a threshold limit for the identified failure

       to determine if the threshold is exceeded, (col. 3, lines 47-51);

b) Creating a job ticket including at least a portion of the failure information

from an error alert to initiate service in the computer network, (col. 3, lines

59-67, col. 4, lines 1-5).

Given the teachings of Ghanime, it would have been apparent to one of ordinary

skill in the art at the time of the present invention, to modify the teachings of

Achtermann to further provide for creating a job ticket to initiate service in the computer

network when a threshold limit for an identified failure has been exceeded. Doing so

would have provided a quick and efficient means for immediately contacting service

personnel in order to restore, back to working order, that which caused the error, and

thus, providing a better Quality of Service (QoS) for those using the computer network,

Ghanime, col. 2, lines 5-23.

4. In considering claim 2, the method of Ghanime further discloses:

a) The threshold limits being predetermined, (col. 2, lines 52-54);

b) The threshold limits stored in memory 110 accessible during the

comparing, (col. 3, lines 47-51).

5. In considering claim 3, it is implicit that the method of Ghanime provides for

manually or automatically modifying the threshold limits in memory. See col. 3, lines

47-51.

6. In considering claim 4, the method of Achtermann further discloses:

 a) The error alert processing including retrieving identification data on a

  network device affected by the package distribution failure, (col. 5, lines

  56-62).

Although the disclosed system of Achtermann shows substantial features of the

claimed invention, it fails to explicitly disclose:

 a) Not creating a job ticket when an affected network device is on an outage

  list.

Nevertheless, the method of Ghanime provides a means for:

 a) Determining whether an affected network device is included on an outage

  list, and not creating a job ticket when the affected device is on an outage

  list, (col. 5, lines 53-60).

Given the teachings of Ghanime, it would have been apparent to one of ordinary

skill in the art at the time of the present invention, to modify the teachings of

Achtermann to further provide a means for not creating a job ticket to initiate service in

the computer network when a device is on an outage list. This would have prevented

generating unnecessary network traffic when a device is on outage list, thereby,

increasing the bandwidth of the network, Achtermann, col. 6, lines 38-40, and providing

a better QoS for those using the computer network, Ghanime, col. 2, lines 5-23.

 7. In considering claim 5, the method of Achtermann further discloses:

a) The error alert processing including retrieving identification data on a

network device affected by the package distribution failure, (col. 5, lines

56-62);

b) Tracking values for each of the failure types included in the error-tracking

file for each of the network devices, (see Table 2).

8. In considering claim 6, it is implicit that the method of Ghanime provides for

the threshold limits being selectable for each of the network devices. See col. 3, lines

47-51.

9. In considering claim 7, although the disclosed system of Achtermann shows

substantial features of the claimed invention, it fails to explicitly disclose:

a) Retrieving location information for an affected network device.

Nevertheless, the method of Ghanime discloses:

a) Error alert processing, including retrieving location information for an

affected network device for use in creating a job ticket, (col. 2, lines 46-

48);

and provides a means for:

b) Matching the retrieved location information with device location

information stored in memory, and when a match is not achieved,

modifying the retrieved location information to match the device location

information, (col. 2, lines 52-61).

Given the teachings of Ghanime, it would have been apparent to one of ordinary

skill in the art at the time of the present invention, to modify the teachings of

Achtermann to further provide for creating a job ticket including location information for

a network device affected by the package distribution failure. Doing so would have

provided a quick and efficient means for immediately contacting service personnel and

informing personnel on the exact location of the failure. Personnel would then be able

to effectively restore back to working order that which caused the error, thus, providing

users of the computer network a better QoS, Ghanime, col. 2, lines 5-23.

10. In considering claim 8, although the disclosed system of Achtermann shows

substantial features of the claimed invention, it fails to explicitly disclose:

    a) Retrieving location information for an affected network device, and

        transmitting a job ticket to a job ticket recipient.

Nevertheless, the method of Ghanime discloses:

    a) Retrieving location information for an affected network device for use in

        creating a job ticket, (col. 2, lines 46-48);

    b) Transmitting a job ticket to a network maintenance center, (col. 4, lines 2-

        5).

Given the teachings of Ghanime, it would have been apparent to one of ordinary

skill in the art at the time of the present invention, to modify the teachings of

Achtermann to further provide for creating a job ticket for a network device affected by

the package distribution failure, and transmitting the created job ticket, including location

information of the affected device, to a job ticket recipient at a network maintenance

center. Doing so would have provided a quick and efficient means for immediately

contacting service personnel and informing personnel about a device failure, and the

location of the device. Personnel would then be able to effectively restore back to

working order the device which caused the error, thus, providing users of the computer

network a better QoS, Ghanime, col. 2, lines 5-23.

11. In considering claim 9, the method of Ghanime discloses the job ticket being

an email message, and transmitting the message by means of a communication

network 122. See col. 4, lines 2-5, and Fig. 1.

12. In considering claim 21, Achtermann discloses:

   a) Processing an error alert to identify a failure type from the failure

      information, (col. 6, lines 24-38);

   b) Validating the received error alert by accessing a network file including

      identification information for each network device in the computer network

      and determining whether a source of the received error alert is included in

      the network file, (col. 5, lines 54-62);

   c) Updating an error tracking file comprising tracking values for each of the

      failure types to incrementally change a tracking number for the identified

      failure type, (col. 5, lines 40-62).

Although the disclosed system of Achtermann shows substantial features of the claimed invention, it fails to explicitly disclose:

    a) Creating a job ticket to initiate service when a threshold limit has been exceeded for an identified failure.

Nevertheless, in a similar field of endeavor Ghanime discloses a method for monitoring devices in a computer network comprising:

    a) Comparing an identified failure to a threshold limit for the identified failure to determine if the threshold is exceeded, (col. 3, lines 47-51);

    b) Creating a job ticket including at least a portion of the failure information from an error alert to initiate service in the computer network, (col. 3, lines 59-67, col. 4, lines 1-5).

Given the teachings of Ghanime, it would have been apparent to one of ordinary skill in the art at the time of the present invention, to modify the teachings of Achtermann to further provide for creating a job ticket to initiate service in the computer network when a threshold limit for an identified failure has been exceeded. Doing so would have provided a quick and efficient means for immediately contacting service personnel in order to restore, back to working order, that which caused the error, and thus, providing a better Quality of Service (QoS) for those using the computer network, Ghanime, col. 2, lines 5-23.

13. In considering claim 22, the Achtermann further discloses:

    a) The error alert processing including retrieving identification data on a

       network device from the failure information, (col. 5, lines 56-62).

Although the disclosed system of Achtermann shows substantial features of the

claimed invention, it fails to explicitly disclose:

    a) Determining if a device is on a device outage list.

Nevertheless, the method of Ghanime provides a means for:

    a) Determining whether an affected network device is included on an outage

       list, (col. 5, lines 53-60).

Given the teachings of Ghanime, it would have been apparent to one of ordinary

skill in the art at the time of the present invention, to modify the teachings of

Achtermann to further provide a means for determining whether or not a device is on an

outage list. This would have prevented generating unnecessary network traffic when a

device is on outage list, thereby, increasing the bandwidth of the network, Achtermann,

col. 6, lines 38-40, and providing a better QoS for those using the computer network,

Ghanime, col. 2, lines 5-23.

14. In considering claim 23, Ghanime further discloses a computer 112, that

verifies a portion of the failure information included in the job ticket. See col. 4, lines 6-

26.

15. Claims 13, 14, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghanime in view of Motoyama et al. (hereinafter Motoyama), U.S. patent 6,581,092.

16. In considering claim 13, although the disclosed method of Ghanime shows substantial features of the claimed invention, it fails to expressly disclose:

    a) Inspecting the subject line of an email message for non-valid subject terms.

Nevertheless, in a similar field of endeavor, Motoyama discloses a method for remote diagnostic control, and information collection comprising:

    a) Validating an email message by determining if the message has non-valid subject terms in the subject line of the message, (col. 20, lines 8-17).

Given the teachings of Motoyama, it would have been obvious to one of ordinary skill in the art at the time of the present invention, to modify the teachings of Ghanime to further teach validating the error alert messages by inspecting the subject line of the error alert for non-valid subject terms. This would provide a robust auto ticket tool/email server that would have the capability of determining whether retrieved messages were failure alerts from devices, or normal email messages to be delivered to users of the server, Motoyama, col. 20, lines 24-41.

17. In considering claim 14, the method of Motoyama provides a means for the non-valid subject terms to include forward and reply. See col. 20, lines 8-17.

18. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ghanime in view of Achtermann.

19. In considering claim 19, Ghanime further discloses:

a) The error tracking information including an error type, (col. 3, lines 64-67, col. 4, lines 1-2);

b) Comparing the tracking information to a threshold limit for the error type to determine if the job ticket should be created, (col. 3, lines 47-51).

Although the disclosed system of Ghanime shows substantial features of the claimed invention, it fails to explicitly disclose:

a) Updating a tracking value in an error-tracking file.

Nevertheless, the method of Achtermann discloses:

b) Updating an error tracking file comprising tracking values for each of the failure types to incrementally change a tracking number for the identified failure type, (col. 5, lines 40-62).

Given the teachings of Achtermann, it would have been apparent to one of ordinary skill in the art at the time of the present invention, to modify the teachings of Ghanime to further provide for updating a corresponding value in an error-tracking file to incrementally change the tracking value. Doing so would have ensured that job tickets were only created when necessary, (i.e. when the tracking values indicated devices

were outside the range of acceptable device performance, Ghanime, col. 3, lines 47-

51).

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of

time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

2. Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Hassan Phillips whose telephone number is (571)

272-3940. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Zarni Maung can be reached on (703) 308-6687. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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9/3/04

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